

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

PAUL DAVIS,  
Petitioner,  
vs.  
D.W. NEVEN, *et al.*,  
Respondents.

2:12-cv-00984-JCM-PAL

## ORDER

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner.

Petitioner has filed a motion for the appointment of counsel. (ECF No. 28). There is no constitutional right to appointed counsel for a federal habeas corpus proceeding. *Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987); *Bonin v. Vasquez*, 999 F.2d 425, 428 (9th Cir. 1993). The decision to appoint counsel is generally discretionary. *Chaney v. Lewis*, 801 F.2d 1191, 1196 (9th Cir. 1986), cert. denied, 481 U.S. 1023 (1987); *Bashor v. Risley*, 730 F.2d 1228, 1234 (9th Cir.), cert. denied, 469 U.S. 838 (1984). The court notes that petitioner has previously sought the appointment of counsel in this case. By order filed June 28, 2013, the court denied petitioner's previous motion for the appointment of counsel. (ECF No. 19). Nothing in petitioner's current

1 motion causes the court to change its decision that the appointment of counsel is unwarranted in this  
2 case. The amended petition on file in this action is sufficiently clear in presenting the issues that  
3 petitioner wishes to bring. The issues in this case are not complex. Counsel is not justified in this  
4 instance. The motion for the appointment of counsel is denied.

5 Petitioner has also filed a motion for an extension of time in which to file a reply to  
6 respondents' answer. (ECF No. 27). Petitioner seeks an enlargement of time, up to and including  
7 June 4, 2014, to file a reply to the answer. Having reviewed the motion and good cause appearing,  
8 petitioner's motion is granted.

9 **IT IS THEREFORE ORDERED** that petitioner's motion for the appointment of counsel  
10 (ECF No. 28) is **DENIED**.

11 **IT IS FURTHER ORDERED** that petitioner's motion for an extension of time to file a  
12 reply (ECF No. 27) is **GRANTED**. Petitioner's reply to the answer shall be filed on or before **June**  
13 **4, 2014**.

14 Dated April 2, 2014.

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16 James C. Mahan  
17 UNITED STATES DISTRICT JUDGE

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